MODULE 9: HALAL & HARAM

PRINCIPLES OF HALAL AND HARAM

1. The default of things is permissibility.
2. Allah alone has the right to make halal and haram.
3. Prohibiting the halal and permitting the haram is one of the greatest sins.
4. The prohibition of things is due to their impurity and harm.
5. The halal is sufficient and the haram is superfluous.
6. What leads to haram is haram itself.
7. Falsely representing the haram as halal is prohibited.
8. Good intentions do not make the haram acceptable.

PROHIBITIONS OF THE EARS

- Allah mentions the blessings of hearing and sight together in the Quran.
- Which blessing is superior, the blessing of hearing or the blessing of sight?

Using these blessings for the haram is a form of ingratitude. Gratitude for hearing and sight entails using them for wholesome things.

GOOD USAGE OF THE EARS

The faculty of hearing is to be used in the following ways:

- Listening to the Quran
- Listening to advice and religious reminders
- Remembrance of Allah
- Poetry/qasa'id
- Religious courses and lessons

One can also use this faculty in beneficial ways, even if not religious in nature, such as:

- Audiobooks
- Podcasts
- Non-religious learning

MUSIC...?

Ancient Greco-Roman culture believed music penetrated both the body and mind, bringing them into equilibrium. In contrast, Europeans of the late 18th century Romantic Era perceived music as a **double-edged sword**, capable of both curing and causing disorders (Rose & Bartsch, 2009).

Utilizing the latest in neuroimaging technology, researchers are able to observe how the brain processes auditory information when under the influences of music. Parts of the brain that show an increased activity include areas such as the hypothalamus, responsible for maintaining stress hormones, and the hippocampus, the area vital for emotion regulation (Levitin, 2006).

EXECUTIVE SUMMARY (tl;dr)

- Music, according to the majority view, is prohibited with the exception of singing that does not contain any external illicit factors.
- The standard view within each of the four legal schools is that listening to wind and string instruments is haram, with or without singing.
- The only exception to this general prohibition is the duff drum. Some have even restricted its use to weddings, while others say it is permissible at any time.
- Singing that does not contain impermissible content is permissible.
- Scholars in the past and present differed about the ruling on music. A minority permitted it, but only if the lyrics were not imorral and only if not accompanied by anything haram.
- We respect the difference of opinion, but we should be cautious because there is a very short distance between ‘Music is halal’ and ‘listening to degenerate garbage.’

GROUP ONE–THE MAJORITY

Quran

وَمِنَ النَّاسِ مَن يَشْتَرِي لَهْوَ الْحَدِيثِ لِيُضِلَّ عَن سَبِيلِ اللَّـهِ بِغَيْرِ عِلْمٍ وَيَتَّخِذَهَا هُزُوًا ۚ أُولَـٰئِكَ لَهُمْ عَذَابٌ مُّهِينٌ

And of the people is he who buys the amusement of speech to mislead [others] from the way of Allah without knowledge and who takes it in ridicule. Those will have a humiliating punishment. (31:6)

GROUP ONE

Sunna

‘From among my followers there will be some people who will consider fornication, the wearing of silk, the drinking of alcoholic drinks **and the use of musical instruments, as lawful**. And there will be some people who will stay near the side of a mountain and in the evening their shepherd will come to them with their sheep and ask them for something, but they will say to him, "Return to us tomorrow." Allah will destroy them during the night and will let the mountain fall on them, and He will transform the rest of them into monkeys and pigs and they will remain so till the Day of Resurrection. (Bukhari, in Mu'alaq form, 74:16)

GROUP ONE

‘In this Ummah there shall be collapsing of the earth, transformation and qadhf. A man among the Muslims said: “O Messenger of Allah! When is that?” He said: “When singing slave-girls, music, and drinking intoxicants spread.”’ (Tirmidhi 33:55)

GROUP ONE

Statements of the Companions

عن ابن عباس رضي الله عنه قال: الدف حرام، والمعازف حرام، والكوبة حرام، والمزمار حرام

Ibn Abbas said: ‘The duff is haram, stringed instruments are haram, drums are haram and the flute is haram.’ (Bayhaqi 10:222)

GROUP TWO–THE MINORITY

Sunna

A’isha narrated: ‘The Messenger of Allah (Allah bless him and give him peace) came (to my apartment) while there were two girls with me singing the song of the Battle of Bu'ath. He lay down on the bed and turned away his face. Then came Abu Bakr and he scolded me and said: "Oh! This musical instrument of the devil in the house of the Messenger of Allah!" The Messenger of Allah turned towards him and said: “Leave them alone…”’ (Bukhari 13:2; Muslim 8:20)

GROUP TWO

A’isha narrated that the Prophet (Allah bless him and give him peace) said, ‘O A'isha! Did you not have any lahw (entertainment i.e., music and singing)? For the Ansar love that.’” (Bukhari 67:97)

GROUP TWO

‘Amir Ibn Sa’d narrated: ‘I approached Qarazah Abi Mas'ud and Ibn Ka’b and Thabit ibn Zaid when there were female slaves beating drums and singing and said to them: “You are the companions of the Prophet? They said: ‘Singing is permitted for us during marriage ceremonies.’”’ (Tabarani, al-Mu'jam al-Kabir 17:247)

GROUP TWO

Imam al-Shawkani said:

‘Ustadh Abu Mansur al-Baghdadi al-Shafi'i said in his writing on music: "Abdullah ibn Jafar did not see anything wrong in singing and he used to compose melodies to his slave girls and listen to their music. This happened during the era of the Commander of the Faithful (the Caliph) ‘Ali Ibn Abi Talib. (Nayl al-Awtar 9:27-29)

JURISTIC VIEWS

Each group of scholars presented a number of arguments and counter-arguments.

Those Who Prohibited

- They cite a view that the verse about ‘lahw al-hadith’ is interpreted as singing. (c.f., Tabari, Ibn Kathir).
- They cite a number of hadith. The most explicit hadith is the one in Bukhari which is in Mu’allaq form (the narrator omits one or more narrators from the chain) in a chapter heading.
- Some of them cite Ijma’ (scholarly consensus) about the prohibition of music. (Ibn Rajab).

JURISTIC VIEWS

Those who permitted:

- They argued that there is no explicit verse in the Quran prohibiting music. The word lahw is multivalent and not a direct prohibition of music. They say that Lahw in this verse is about mocking the path of Allah, which is disbelief, and not ‘idle talk’ that is for relaxation and whose verbal content is permissible.
- They say the statements of individual companions are not binding since a) there is no consensus that the opinion of a companion is a legal proof, and b) there are other companions who permitting singing and music (‘Abdullah b. Ja’far, ‘Abdullah b. al-Zubayr, al-Mughira b. Shu’ba, etc.)
- Many of the scholars who permitted music critiqued the chains of the hadith that seem to prohibit music. (Ibn Hazm, al-Ghazali, Ibn al-Nahwi, Qadi Abu Bakr Ibn al-‘Arabi, Ibn al-Tahir, al-Shawkani, ‘Abd al-Ghani al-Nabulusi)

JURISTIC VIEWS

- Because of the debate about the chains of transmission, they say one cannot make an emphatic judgement that music is haram.
- Furthermore, they say there is no hadith the prohibits music except that other things are mentioned alongside of it (wine drinking, dancing and singing girls, etc.). The total package is what is haram, they argue, not music free of those other practices.
- They argue that the claim of ijma' is false because there are several statements from scholars across the centuries who permitted music.

SINGING

Singing is distinct from music.

- Singing that does not contain impermissible content (lyrics) is permissible.
- If the content entails remembrance of Allah Most High and reminders of good it is praiseworthy, so long as it does not distract from any religious obligations.
- If the content of the lyrics is haram, listening to it is haram. This is based on the general principle: If it is haram to say, it is haram to listen to.

SINGING

Examples:

1. The words contain elements of disbelief, sin, and corruption, or glorify any of these.
2. The singing stirs up illicit desires for the opposite gender.
3. The gathering in which singing is attended contains illicit actions, such as drinking alcohol or impermissible gender interactions.

If the singing is free from the above elements and does not distract one from their religious obligations, it is permissible, especially if it contains admonishments or beneficial wisdom.

CONCLUSION

- This is a matter of legitimate disagreement among qualified scholars.
- The difference of opinion is limited to wind and string instruments and singing that has either good lyrics or morally neutral (permissible) lyrics.
- There is NO difference of opinion that immoral music is haram to listen to.
- Due to the above difference of opinion, there is no obligation upon you to forbid people from listening to music, unless that music contains haram elements. In such a case, your forbidding is directed only to those elements.
- You are allowed to advise them to take a more cautious position, but you cannot object to them or judge them negatively.

CONCLUSION

Most modern music is haram to listen to because of the lyrics, videos, and lifestyle promoted, and the modern music culture is surrounded with degeneracy and promotes values that are antithetical to Islam.

Furthermore, listening to music is generally a slippery slope that leads to time wasting and neglecting what is more important.

LISTENING VERSUS HEARING

Ibn Hajar al-Haytami said:

‘The prohibition is only listening, and not just hearing; not with the purpose of listening. Our companions asserted that if there are forbidden nightclubs in one’s neighborhood which he could not remove, he is not obliged to move away to another accommodation, and he is not sinful by hearing it unintentionally. They explicitly asserted here that a person is sinful by listening to it and not by hearing it.’ (*al-Fatawa al-Hadithiyya*)

OTHER PROHIBITIONS OF THE EARS

- Listening to people's private conversations (eavesdropping)
- Listening to falsehood (anything that is haram to speak is haram to listen to), unless there is a pressing need.
- Willingly listening to a woman's sensual voice with sensual enjoyment.